

Attorney Docket No.:ENZ53(D5)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Rabbani et al.

Application No.: 08/978,637

Group Art Unit: 1635

Filed: November 25, 1997

Examiner:A. Hudson

For: **COMPOSITION OF MATTER COMPRISING PRIMARY NUCLEIC  
ACID COMPONENT**

Confirmation No.: 4643

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith further references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

Form PTO/SB08a lists US and foreign patent documents and non patent literature that have not been made of record. Some of these foreign patent documents and non-patent literature have been submitted previously. Those submitted herewith are listed below:

**Foreign Patents**

WO9528494 1995-10-26 Overell et al.

WO9506129 1995-03-02 Craig et al.

01/11/2008 SSESHE1 00000016 051135 08978637

01 FC:1806 180.00 DA

## **Non-patent documents**

- VERMA Nature 389: 239-242. 1997
- FISHER Neurobiology of Disease 4: 1-22. 1997
- DATTA et al. Mol. Cell Biol. 16: 1085-1093. 1996
- BENNET et al. pp 13-46 in Methods in Molecular Medicine: Antisense Therapeutics  
Ed. S. Agrawal, Humana Press, Inc. Totowa NJ 1996
- WANG et al., Proc. Natl. Acad. Sci. USA 92: 3318-3322. 1995
- THIMME et al., Virology 211: 296-301. 1995
- SUN et al. Proc. Natl. Acad. Sci. USA 92: 7272-7276. 1995
- ROSSI, Trends Biotechnol. 13: 301-306. 1995
- RAMIREZ et al., Virology 206: 57-68. 1995
- PARDRIDGE et al., Proc. Natl. Acad. Sci. USA 92: 5592-5596. 1995
- MILLER et al., FASEB J. 9: 190-199. 1995
- LIMJOCO et al. Virology 208: 75-83. 1995
- LAU et al., Hum Gene Ther. 6: 1145-1151. 1995
- ALLY et al., J. Immunol. 155: 5404-5408. 1995
- AGRAWAL et al., Biochem. Pharmacol. 50: 571-576. 1995
- VIEILLARD et al. Proc. Natl. Acad. Sci. USA 91: 2689-2693. 1994
- LEWIN in Genes V, pp 914-915. 1994
- DE YOUNG et al. Biochemistry 33: 12127-12138. 1994
- VLASSOV et al., FEBS Lett. 327: 271-274. 1993
- COX et al. Advan. Enzyme Regul. 33: 27-36. 1993
- BALVAY et al. BioEssays 15: 165-169. 1993
- ALLAWAY et al. AIDS Res. Human Retroviruses 9: 581-587. 1993
- ZAIA et al., Annals of the NY Acad Sci 660: 95-106. 1992
- TAKEDA et al., Proc. Natl. Acad. Sci USA 89: 8180-8184. 1992
- DUMONTET et al. La Revue de Medecine Intern. 13: 460-464. 1992.
- BURKLY et al., J. Immunol. 149: 1779-1787. 1992
- PILCH et al. Gene Expression 1: 41-53. 1991
- FARUQI et al., Virology 183: 764-768. 1991
- YAMASHITA et al. Agric. Biol. Chem. 54: 2801-2809. 1990

FISCHER et al. Science 249: 786-790. 1990.  
YOSHIMATSU et al. Science 244: 1346-1348. 1989  
VOS et al. Mol. Cell. Biol. 9: 2897-2905. 1989  
GATERMANN et al. Mol. Cell Biol. 9: 1526-1535. 1989  
BEBENEK et al. J. Biol. Chem. 264: 16948-16956. 1989  
LEIBOLD et al. Proc. Natl. Acad. Sci. USA 85: 2171-2175. 1988  
OLD et al., Blackwell Scientific Publications, London, 1986  
DAVIS et al., Elsevier, NY 1986  
PERBAL, John Wiley & Sons, New York, 1984  
DUNN et al., J. Mol. Biol. 166: 477-535. 1983  
MANIATIS et al., Cold Spring Harbor Laboratory Press, 1982  
ANDERSON et al. Nature 290: 754-758. 1981  
Definitions for "compound", "polymer", "monomer" on 2005-10-19 from  
www.cancerweb.ncl.ac.uk

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The Information Disclosure Statement submitted herewith is being filed

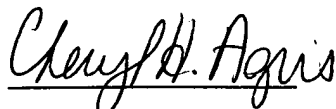
☐ after submitting the RCE but before any subsequent Office Action

☐ before the mailing date of a first Office Action on the merits

☒ after the mailing date of a first Office Action on the merits. Please charge the fee of \$180 to deposit account no. 05-1135.

Respectfully submitted,

Date: 1/9/2008



Cheryl H. Agris, Reg. No. 34,086

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PTO/SB/21 (01-08)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 08/978,637

Filing Date November 25, 1997

First Named Inventor Rabbani

Art Unit 1635

Examiner Name A. Hudson

Attorney Docket Number ENz53(D5)

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
below):Information Disclosure Statement Transmittal  
Letter, 2 Foreign Patent Documents and 42  
non-patent documents +fee (charge to  
deposit acct no. 05-1135.

Remarks

Please charge the fee of ~~\$180~~ \$180 to  
Deposit Acct No. 05-1135.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name The Law Offices of Cheryl H. Agris, Ph.D., P.C.

Signature *Cheryl H. Agris*

Printed name Cheryl H. Agris

Date January 9, 2008

Reg. No. 34,086

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature *Cheryl H. Agris*

Typed or printed name Cheryl H. Agris

Date January 9, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	08978637
Filing Date	1997-11-25
First Named Inventor	Rabbani
Art Unit	1635
Examiner Name	A. Bowman
Attorney Docket Number	Enz-53-D5

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

Charge Aect NO 05-1135

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	<i>Cheryl H. Agnis</i>	Date (YYYY-MM-DD)	2008-01-09
Name/Print	Cheryl H Agnis	Registration Number	34086

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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